

### **REMARKS**

Claims 1-40 are pending, with claims 29-34 allowed, claims 5, 7, 10, and 14 objected to<sup>1</sup>, claims 1-3, 6, 8, 9, 11-13, 15-17, 26-28 rejected, and claims 18-25 and 35-40 withdrawn from consideration.

Applicant thanks the Examiner for the allowance of claims 29-34 and the indication of allowable subject matter in claims 5, 7, 10, and 14.

#### ***Claim Rejections – 35 USC 112***

Claims 15-17 have been rejected under 35 USC 112, second paragraph as being indefinite for failing to point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner has indicated that there is insufficient antecedent basis for the claim limitations “the secondary list” in line 2 and “the primary list” in line 3.

Applicant has amended claim 15 to depend on claim 14, which includes the limitations “a primary list” and “a secondary list,” both in line 3. Moreover, Applicant has amended claim 15 to more definitely recite “wherein only the hardware resources associated with the secondary list...” As a result, reconsideration and withdrawal of this rejection is therefore respectfully requested.

#### ***Claim Rejections – 35 USC 103***

Claims 1, 3, 4, 6, 8, 9, 12, and 26-28 have been rejected under 35 USC 103(a) as being unpatentable over Fleeson (U.S. Patent No. 6,353,846) in view of Rawson et al. (U.S. Patent No. 5,692,204; hereinafter “Rawson”). Claim 2 has been rejected under 35 USC 103(a) as being unpatentable over Fleeson in view of Rawson and Pelham et al. (U.S. Patent No. 4,967,375; hereinafter “Pelham”). Claim 11 has been rejected under 35 USC 103(a) as being unpatentable over Fleeson in view of Rawson and Quick, Jr. (U.S. Patent No. 5,673,259). Claim 13 has been rejected under 35 USC 103(a) as being unpatentable over Fleeson in view of Rawson and Arazi et al. (U.S.

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<sup>1</sup> The Office Action Summary states that claim 4 is objected to, but it is clear from reading the body of the Office Action that claim 4 is actually rejected.

Patent Publication No. 2001/0041594; hereinafter “Arazi”). Claim 15 has been rejected under 35 USC 103(a) as being unpatentable over Fleeson in view of Rawson and Appendix A of the “Cisco Telephony Controller Software Release 4 Dial Plan Provisioning Guide”, April 19, 1999 (hereinafter “Cisco”).

Independent Claim 1:

Independent claim 1 recites “In a wireless communication device having a processor, a computer readable memory, and at least one hardware resource coupled to each other, a method of operating the hardware resources comprising: a) locating a first address in the computer readable memory of the wireless communication device, the first address containing *operating information associated with a first hardware resource*; b) transmitting operating information associated with the first address to the first hardware resource...” (emphasis added).

The applied references do not suggest “operating information associated with a first hardware resource,” as required by claim 1. “By storing operating information of hardware in software and linking this information for multiple hardware resources via linking addresses, the present invention provides flexible resource allocation and scheduling of the hardware resources.” (See application, page 4, line 32 – page 5, line 2.)

Fleeson is directed to a resource manager 2 for electronic systems such as a software definable radio (SDR). Specifically, the user inputs various commands to establish an operational virtual communication unit (VCU) 8 that is composed of a set of system resource modules 10. (See Fleeson col. 6, lines 17-24.) A property object defines the set of properties for each resource module and a link object defines the necessary modules to implement the operational VCU. (See Fleeson col. 3, lines 33-39.) Moreover, the properties for each resource module are predefined (see Fig. 4) and presented to the user (see Fig. 6) during link object definition. (See Fleeson col. 9, lines 36-64.) These required properties for each resource module, however, are not transmitted to the respective resource module during operation. Rather, they are merely compared with the actual resource module properties to determine whether the specific resource module is available for VCU operation. (See Fleeson col. 12, lines 5-18.)

In addition, during VCU creation, the VCU designer may define VCU parameter values. (See Fleeson col. 10, line 57 et seq.) These parameter values are separate and distinct from the required resource module properties discussed above and include modulation type, transmit and receive frequency settings and so on. (See Fleeson col. 12, lines 14-22; col. 10, line 57 et seq.) During operation, once the system determines that the required resource modules are available, the VCU parameter values are set for the appropriate modules. (See Fleeson col. 12, lines 18-20.) These parameter values are inherently the same values for each system resource module, which collectively make up the VCU. As such, they are not specific “operating information associated with a first hardware resource” as required by claim 1.

Rawson fails to make up for Fleeson’s deficiencies. Thus, independent claim 1, along with its dependent claims, is patentable over the applied references for at least these reasons.

Independent Claim 26:

Independent claim 26, similar to independent claim 1, recites “transmitting operating information associated with the first address to the first hardware resource.” Thus, independent claim 26 is patentable over Fleeson in view of Rawson for at least the same reasons as discussed above with respect to independent claim 1.

Independent Claims 27 and 28:

Independent claim 27 requires “A method comprising: locating a first memory address in the memory associated with a first hardware resource; transmitting *control information associated with the first memory address to the first hardware resource to enable utilization of the first hardware resource...*” (emphasis added). Independent claim 28 is an apparatus claim requiring means for performing the steps of claim 27.

As discussed above, Fleeson teaches a resource manager that includes the design of a VCU that is composed of a set of system resource modules where each resource module has predefined properties. In operation, each of these required properties is compared with actual resource properties to determine resource module availability. (See Fleeson col. 12, lines 5-18.) Moreover,

separate, predefined parameters values of the VCU are set for the appropriate modules if such modules are available. (See Fleeson col. 12, lines 14-20.) These parameter values, however, are necessary to enable utilization of the VCU as a unit and include modulation type and transmit and receive frequency settings. (See Fleeson col. 12, lines 14-22; col. 10, line 57 et seq.) Accordingly, they do not constitute “control information associated with the first memory address to the first hardware resource to enable utilization of the first hardware resource.”

Rawson fails to make up for Fleeson’s deficiencies with respect to independent claims 27 and 28. Thus, these claims are patentable over the applied references for at least these reasons.

Dependent Claim 2:

Regarding dependent claim 2, Pelham fails to make up for Fleeson’s and Rawson’s deficiencies. Thus, this claim is patentable by virtue of its dependence on independent claim 1 as discussed above.

Dependent Claim 11:

Regarding dependent claim 11, Quick, Jr. fails to make up for Fleeson’s and Rawson’s deficiencies. Thus, this claim is patentable by virtue of its dependence on independent claim 1 as discussed above.

Dependent Claim 13:

Regarding dependent claim 13, Arazi fails to make up for Fleeson’s and Rawson’s deficiencies. Thus, this claim is patentable by virtue of its dependence on independent claim 1 as discussed above.

Dependent Claims 14 and 15:

As discussed above, Applicant has amended claim 15 to depend on dependent claim 14, which the Examiner has indicated contains allowable subject matter. As a result, Applicant believes

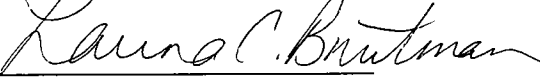
that dependent claim 15 also contains allowable subject matter by virtue of its dependence on claim 14, regardless of Cisco's teachings.

In view of the above, Applicant believes the pending application is in condition for allowance.

In the event a fee is required or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 50-2215.

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Respectfully submitted,

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